

REMARKS

Claims 1-10 and 96 are pending in this application, and were rejected under 35 U.S.C. §102(e) as being anticipated by Ault et al. (U.S. Patent 6,011,978). Ault et al. discloses automatic system switching in a multiple-mode wireless communication device.

On March 4 and 11, 2008 Applicants representative, Michael J. Musella, contacted the Examiner to discuss the fact that the present Office Action is an exact duplicate of the previous Office Action. The Examiner recognized this error and agreed that upon the filing of a formal Response setting forth this error, the Examiner would issue a new Office Action.

Independent Claim 1 is believed to be in condition for allowance. Without conceding the patentability per se of dependent Claims 2-10 and 96, these are likewise believed to be allowable at least by virtue of their dependence on their respective independent claims. Accordingly, reconsideration and withdrawal of the rejections of dependent Claims 2-10 and 96 is respectfully requested.

Accordingly, all of the claims pending in the Application, namely, Claims 1-10 and 96, are believed to be in condition for allowance. Should the Examiner believe that a telephone conference or personal interview would facilitate resolution of any remaining matters, the Examiner may contact Applicant's attorney at the number given below.

Respectfully submitted,



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